



RCE  
JNW

<b>Mail Stop RCE</b>  <b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>	Application Number	09/670,781
	Filing Date	September 27, 2000
	Inventor(s)	DALY
	Conf. No.	6751
	Group Art Unit	1761
	Examiner	Weinstein, S.
Express Mail Label No.: EL 997386010 US	Attorney Docket No.	00-39 RCE

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the Amendment(s)/Response under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered Amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply;
- ii. ☐ Affidavit(s)/Declaration(s);
- iii. ☒ Information Disclosure Statement (IDS); and/or
- iv. ☐ Other: \_\_\_\_\_
- 05/06/2005 WASFAW1 00000055 09670781  
01 FC:1801 790.00 0P

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
- b. ☐ Other: \_\_\_\_\_

**3. Petition For Extension of Time**

A Petition to Extend the life of the present application to at least to the date hereof:

- a. ☐ is not necessary.
- b. ☐ was previously filed on \_\_\_\_\_.
- c. ☒ is being concurrently filed in this application. (The fee for this petition is itemized below)

**4. Fees** (Fee Transmittal Form is attached - in duplicate)

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 50-0558.
- i. ☒ RCE fee of \$790.00 required under 37 C.F.R. § 1.17(e)
- ii. ☒ Extension of time fee of \$120.00 required under 37 C.F.R. §§ 1.136 and 1.17
- iii. ☒ Other: Excess claim fees totaling \$1,450.00; IDS fee \$180.00
- b. ☒ Check in the amount of \$2,540.00 enclosed, check no. 1279

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Individual and Company	Timothy Nathan, Reg. No. 44,256 RESPIRONICS, Inc., 1010 Murry Ridge Lane, Murrysville PA, 15668
Signature	
Date	May 4, 2005

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence and all enclosures are being deposited with the United States Postal Service with sufficient postage as "Express Mail Post Office to Addressee" in an envelope addressed to:  
Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: May 4, 2005,  
Express Mail Label No. EL 997386010 US.

Typed Name	Timothy Nathan, Reg. No. 44,256		
Signature		Date	May 4, 2005